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**From:** Stavnes, Sandra [Stavnes.Sandra@epa.gov]  
**Sent:** 9/2/2020 7:44:06 PM  
**To:** Sutin, Elyana [Sutin.Elyana@epa.gov]  
**CC:** Stites, Rob [Stites.Rob@epa.gov]; Moores, Steven [Moores.Steven@epa.gov]; Chin, Lucita [Chin.Lucita@epa.gov]  
**Subject:** RE: MOU with Wyoming

Thanks Elyana – I will set up a conf call probably early next week for us to discuss.

*Sandy*

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Sandy Stavnes, Deputy  
Superfund and Emergency Management Division  
US EPA, Region 8  
303-312-6117

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**From:** Sutin, Elyana <Sutin.Elyana@epa.gov>  
**Sent:** Wednesday, September 2, 2020 1:22 PM  
**To:** Stavnes, Sandra <Stavnes.Sandra@epa.gov>  
**Cc:** Stites, Rob <Stites.Rob@epa.gov>; Moores, Steven <Moores.Steven@epa.gov>; Chin, Lucita <Chin.Lucita@epa.gov>  
**Subject:** RE: MOU with Wyoming

Sandy and Rob,

Steven Moores will be your contact on this matter. He will be working with Lucita given her recent work with the NRC on various overlapping authorities. Please include both of them in any discussions moving forward.

Thanks,

Elyana R. Sutin  
Deputy Regional Counsel  
U.S. EPA Region 8  
1595 Wynkoop St.  
Denver, CO 80202

work: 303.312.6899 | cell: 303.253.5149 | fax: 303.312.6859



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**From:** Stavnes, Sandra <Stavnes.Sandra@epa.gov>  
**Sent:** Tuesday, September 1, 2020 5:10 PM  
**To:** Sutin, Elyana <Sutin.Elyana@epa.gov>  
**Cc:** Stites, Rob <Stites.Rob@epa.gov>  
**Subject:** RE: MOU with Wyoming

Thanks Elyana – I was “hoping” that with Dewey Burdock you might have some expertise we could lean on. We will stand by waiting to hear from you.

Sandy

Sandy Stavnes, Deputy  
Superfund and Emergency Management Division  
US EPA, Region 8  
303-312-6117

**From:** Sutin, Elyana <Sutin.Elyana@epa.gov>  
**Sent:** Tuesday, September 1, 2020 4:47 PM  
**To:** Stavnes, Sandra <Stavnes.Sandra@epa.gov>  
**Cc:** Stites, Rob <Stites.Rob@epa.gov>  
**Subject:** RE: MOU with Wyoming

Sandy and Rob,

Thank you for bringing this to ORC's attention. Interestingly, we have been doing quite a bit of research and work on the overlapping EPA/NRC authorities. It is a significant issue in the Dewey Burdock UIC permits. In

**Ex. 5 AC/DP**

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Lucita Chin is our UIC expert and knows a great about this in the SDWA context. I do think a CERCLA attorney and Lucita should be involved in this review. I will get back to you on who is best able to assist very soon.

Thanks,

Elyana R. Sutin  
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**From:** Stavnes, Sandra <Stavnes.Sandra@epa.gov>  
**Sent:** Tuesday, September 1, 2020 1:05 PM  
**To:** Sutin, Elyana <Sutin.Elyana@epa.gov>  
**Cc:** Stites, Rob <Stites.Rob@epa.gov>  
**Subject:** FW: MOU with Wyoming

Elyana

Wyoming has been asking us for several years (and most recently in a conversation with the RA) about the opportunity to become an agreement state under NRC authorities to license and monitor uranium and thorium production sites. We

**Ex. 5 AC/DP**

Who on your staff would you recommend we work with to review this information?

Thanks.

*Sandy*

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303-312-6117

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**From:** Stites, Rob <[Stites.Rob@epa.gov](mailto:Stites.Rob@epa.gov)>  
**Sent:** Tuesday, September 1, 2020 12:13 PM  
**To:** Stavnes, Sandra <[Stavnes.Sandra@epa.gov](mailto:Stavnes.Sandra@epa.gov)>; Smidinger, Betsy <[Smidinger.Betsy@epa.gov](mailto:Smidinger.Betsy@epa.gov)>  
**Cc:** Smith, Stephanie <[smith.stephanee@epa.gov](mailto:smith.stephanee@epa.gov)>  
**Subject:** RE: MOU with Wyoming

This is what I have to date, which still needs structuring and other feedback. Need to frame out conclusions/recommendations. It would probably be wise to have some legal consultation.

## Ex. 5 Deliberative Process (DP)

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**From:** Stavnes, Sandra <[Stavnes.Sandra@epa.gov](mailto:Stavnes.Sandra@epa.gov)>  
**Sent:** Monday, August 31, 2020 10:16 AM  
**To:** Stites, Rob <[Stites.Rob@epa.gov](mailto:Stites.Rob@epa.gov)>; Smidinger, Betsy <[Smidinger.Betsy@epa.gov](mailto:Smidinger.Betsy@epa.gov)>  
**Cc:** Smith, Stephanie <[smith.stephanee@epa.gov](mailto:smith.stephanee@epa.gov)>  
**Subject:** RE: MOU with Wyoming

Rob

Checking in on the status of this. Please get with Stephanie to schedule a time to talk about it this week.

*Sandy*

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Sandy Stavnes, Deputy  
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US EPA, Region 8  
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**From:** Stites, Rob <[Stites.Rob@epa.gov](mailto:Stites.Rob@epa.gov)>  
**Sent:** Friday, August 14, 2020 8:46 AM  
**To:** Stavnes, Sandra <[Stavnes.Sandra@epa.gov](mailto:Stavnes.Sandra@epa.gov)>; Smidinger, Betsy <[Smidinger.Betsy@epa.gov](mailto:Smidinger.Betsy@epa.gov)>  
**Subject:** RE: MOU with Wyoming

Will do.

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**From:** Stavnes, Sandra <[Stavnes.Sandra@epa.gov](mailto:Stavnes.Sandra@epa.gov)>  
**Sent:** Friday, August 14, 2020 8:15 AM  
**To:** Stites, Rob <[Stites.Rob@epa.gov](mailto:Stites.Rob@epa.gov)>; Smidinger, Betsy <[Smidinger.Betsy@epa.gov](mailto:Smidinger.Betsy@epa.gov)>  
**Subject:** RE: MOU with Wyoming

Rob lets touch base next week once you have had a chance to get your arms around this issue. I will leave it to you to schedule a time with me to discuss. Thanks in advance!

*Sandy*

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Sandy Stavnes, Deputy  
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US EPA, Region 8  
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**From:** Stites, Rob <[Stites.Rob@epa.gov](mailto:Stites.Rob@epa.gov)>  
**Sent:** Friday, August 14, 2020 7:20 AM  
**To:** Smidinger, Betsy <[Smidinger.Betsy@epa.gov](mailto:Smidinger.Betsy@epa.gov)>; Stavnes, Sandra <[Stavnes.Sandra@epa.gov](mailto:Stavnes.Sandra@epa.gov)>  
**Subject:** RE: MOU with Wyoming

Thanks. Stuart Walker in HQ also found the MOU and sent it.

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**From:** Smidinger, Betsy <[Smidinger.Betsy@epa.gov](mailto:Smidinger.Betsy@epa.gov)>  
**Sent:** Thursday, August 13, 2020 5:34 PM  
**To:** Stites, Rob <[Stites.Rob@epa.gov](mailto:Stites.Rob@epa.gov)>; Stavnes, Sandra <[Stavnes.Sandra@epa.gov](mailto:Stavnes.Sandra@epa.gov)>  
**Subject:** RE: MOU with Wyoming

Hi Rob...Please include Sandy on this issue, as she is going to be the lead on this at the Division level. My recollection is that the MOU signed by Wheeler was a national MOU with NRC, not with the state of MT. I attached the 2 press items I had from Andrew Mutter on this. That's about all I have for you on this!

Betsy

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**From:** Stites, Rob <[Stites.Rob@epa.gov](mailto:Stites.Rob@epa.gov)>  
**Sent:** Thursday, August 13, 2020 2:04 PM  
**To:** Smidinger, Betsy <[Smidinger.Betsy@epa.gov](mailto:Smidinger.Betsy@epa.gov)>  
**Subject:** FW: MOU with Wyoming

I started looking into the NRC-EPA history of (dis)agreements. I came across an interesting press release from the Senate EPW committee which says Admin. Wheeler signed an MOU July 23, 2020 with Wyoming, a recently minted Agreement State. It was news to me. The link is <https://www.epw.senate.gov/public/index.cfm/2020/7/epa-nrc-answer-barrasso-s-call-to-sign-agreement-helping-wyoming-uranium-production>.

The MOU itself is not on the NRC website so I don't know the scope and content. It's recent so NRC may not have put it on the web yet, nor has EPA. I assume some regional personnel attended. Do you by chance know who to ask? This could change or guide our approach.

I checked with Stuart Walker in HQs. He didn't have it either. He's reaching out to some of his NRC contacts. The Wyoming DEQ and Wyoming Mining Association also have nothing on their web sites. I'll be calling some contacts with WDEQ.

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